IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6643 OF 2003

Sayyad Iqbal Sayyad Ibrahim .. Petitioner
V/s
The Municipal Corporation for
Malegaon & Ors. .. Respondents

Mr.A.K.Patil for the Petitioner.
Mr.S.M.Sabrad for Respondent No.1.
Mr.S.R.Nargolkar, AGP for Resp.Nos.2 and 3.

CORAM: S.RADHAKRISHNAN &
DR.D.Y.CHANDRACHUD, JJ.

DATE : 22.11.2004.

P.C.:

1. Rule. Rule is made returnable forthwith by consent. Heard the learned Counsel for the Petitioner, the learned Counsel for Respondent No.1 and the learned AGP for Respondent Nos.2 and 3.

2. The basic dispute in this Petition is that the Petitioner wants to develop the property and contends that the earlier reservation which was there, has lapsed. However, the affidavits filed on behalf of the State as well as the Municipal Corporation make it clear that the said reservation has not lapsed. It appears that the Malegaon Municipal Corporation has already submitted the land acquisition proposal on 16th December, 1996 by a letter bearing No.556. The learned Counsel for the Respondent-Corporation has produced before us the xerox copy of the said letter dated 16th December, 1996 bearing No.556. The same is taken on record. We do not find any substance in the contention

of the learned Counsel for the Petitioner that the reservation has lapsed and that the acquisition has come to an end. Under these circumstances, the learned Counsel for the Petitioner prays that atleast the acquisition proceedings ought to be completed expeditiously.

3. In view thereof, the Respondent No.1 (Municipal Coporation for Malegaon City) is directed to deposit the requisite compensation with the Respondent Nos.2 and 3 so as to enable the Respondent Nos.2 and 3 to complete the entire process of acquisition and make the award on or before 30th June, 2005. Rule is made absolute in the above terms.

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